

Notice of Allowability

Application No.

10/758,678

Examiner

Terressa M. Boykin

Applicant(s)

PARKER ET AL.

Art Unit

1711

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11-7-06.
2. ☒ The allowed claim(s) is/are 1-51.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.


THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 11-20-06 ; 10-2-06
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 12-11-6.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


Terressa M. Boykin
Primary Examiner
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Allowable Subject Matter

The following is an Examiner's statement of reasons for the indication of allowable subject matter:

Applicant(s) claimed invention is directed to a process for producing a carboxylic acid/diol mixture, wherein said process comprises removing in a liquor exchange zone impurities from a carboxylic acid slurry to form a water-wet carboxylic acid cake, a mother liquor stream, a solvent mother liquor stream, and a solvent/water byproduct liquor stream; routing said water-wet carboxylic acid cake to a vapor seal zone; and adding at least one diol to said water-wet carboxylic acid cake in a carboxylic acid/diol mixing zone to form said carboxylic acid/diol mixture.

The crux of the invention lies in the discovery in step (c) the carboxylic acid/diol mixture suitable as a starting material for polyester production may be obtained from a slurry or water-wet cake carboxylic acid product without isolation of a substantially dry carboxylic acid solid. Thus, a process has been discovered resulting in few steps than the currently employed processes while avoiding the problems commonly associated therewith such as the operating costs associated with the isolation and drying of a terephthalic acid powder. Such has neither been anticipated by nor made obvious from the prior art. The art of record demonstrates other polyesters produced in the art which do not, however, contain the advantages as mentioned and neither avoid the problems commonly associated therewith

Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably accompany the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Examiner's Amendment

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In claims 1, 6, 11, 16, and 34 in process step (c) after the recited "mixture" the following has been added –

- wherein said diol displaces water from said water-wet carboxylic acid cake; and wherein said carboxylic acid/diol mixture is produced without the isolation of a substantially dry carboxylic acid solid; and wherein said vapor seal zone prevents said diol from entering any zone proceeding said vapor seal zone-

Additionally, in claims 20, 27, and 39 in process step (c) after the recited "mixture" the following has been added –

– wherein said diol displaces water from said water-wet terephthalic acid cake; and wherein said terephthalic acid/diol mixture is produced without the isolation of a substantially dry carboxylic acid solid; and wherein said vapor seal zone prevents said diol from entering any zone proceeding said vapor seal zone-

Lastly, in claim 33 in process step (d) after the recited "about 290°C;" the following has been added –

- ; wherein said diol displaces water from said water-wet terephthalic acid cake; wherein said terephthalic acid/diol mixture is produced without the isolation of a substantially dry carboxylic acid solid; wherein said vapor seal zone prevents said diol from entering any zone proceeding said vapor seal zone; and -

Authorization for this examiner's amendment was given in a telephone interview with Steven Owen on Tuesday, 12, 2006

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Correspondence

Please note that the cited U.S. patents and patent application publications are available for download via the Office's PAIR. As an alternate source, all U.S. patents and patent application publications are available on the USPTO web site (www.uspto.gov), from the Office of Public Records and from commercial sources. Applicants may be referred to the Electronic Business Center (EBC) at <http://www.uspto.gov/ebc/index.html> or 1-866-217-9197.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Terressa Boykin whose telephone number is 571 272-1069. The examiner can normally be reached on Monday through Friday from 6:30am to 3:00pm.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Examiner Terressa Boykin
Primary Examiner
Art Unit 1711